

Application Serial No. 10/820,555
Reply to Office Action of April 20, 2007

RECEIVED
CENTRAL FAX CENTER
MAY 11 2007

PATENT
Docket: 36100.00.0003:
CU-4420

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Damien Convery

] GRP ART UNIT: 3663

Serial No: 10/820,555

] Ex.: Ronnie Mancho

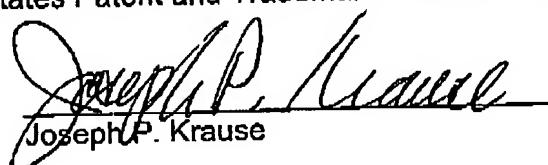
Filed: 04/08/2004

]

For: **METHOD AND APPARATUS FOR SIMULATING A TRAIN AND TRACK**

Certification under 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to Fax. No. (571) 273-8300 on May 11, 2007



Joseph P. Krause

**RESTRICTION REQUIREMENT RESPONSE and
PRELIMINARY AMENDMENT UNDER 37 CFR 1.115**

Mail Stop Amendment
The Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

A Restriction Requirement for the above-identified patent application was mailed on April 20, 2007. The applicant was required to elect either claims 1-28 or claims 29-31 for prosecution. Claims 1-28 are directed to a method of simulating a train and track whereas claims 29-31 are directed to a system for simulating a train traveling along an actual track route.

In response to the Restriction Requirement, the applicant elects claims 1-28, with traverse. Claims 29-31 are withdrawn, however, the applicant reserves the right to prosecute claims 29-31 in a divisional application.

Application Serial No. 10/820,555
Reply to Office Action of April 20, 2007

PATENT
Docket: 36100.00.0003:
CU-4420

The Restriction Requirement also required a species election. By this amendment, the applicant is amending claim 8 and canceling claim 9. The species election requirement is therefore overcome. The Examiner's attention is respectfully directed to the Remarks following the claim amendments set forth below.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 11 of this paper.